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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

IN RE:

CASE NO. 25-10024

CRAIG AARON SOLIZ-STROHL

DC NO.: LGT-1

JOSE ALBERT RODRIGUEZ SOLIZ-STROHL

CHAPTER 13 TRUSTEE'S MOTION TO
DISMISS PURSUANT TO 11 U.S.C.
§1307

Debtors

DATE: April 10, 2025

TIME: 9:30 am

PLACE:U.S. Courthouse

5th Floor, Dept A, Courtroom 11
2500 Tulare Street
Fresno, CA 93721

JUDGE: Hon. Jennifer E. Niemann

TO THE DEBTORS AND DEBTORS' ATTORNEY:

19 **YOU AND EACH OF YOU** are hereby notified that Lilian G. Tsang, Chapter 13 Standing
20 Trustee, will move to dismiss the above-referenced case pursuant to §1307 of the Bankruptcy Code
21 at the time and place set forth above for the following reason(s):

1.

BASIS FOR DISMISSAL

24 1. Unreasonable delay by the debtors that is prejudicial to creditors. [11 U.S.C. §1307(c)(1)]

25 2. Debtors failed to set a modified plan for hearing with notice to creditors.

26 3. Debtors failed to file and set for hearing a motion to value 2011 Chevrolet Tahoe held by

27 American Auto Finance and the 2018 Ram 1500 Crew Cab held by American Credit Acceptance

28 pursuant to Local Rule 3015-1(j).

1 4. Debtors failed to provide the following required document(s) to the Trustee (if
2 applicable):

3 a. Proof of Debtors' complete social security number, by way of social security card or W-2
4 Form.

5 5. Debtors failed to cooperate with the trustee as required in [11 U.S.C. §521(a)(3)(4)]. [11
6 U.S.C. §1307(c) "for cause"] More specifically, Trustee requested and Debtors failed to provide the
7 following documents:

8 a. List of all inventory and equipment, current values, dates of purchase and values when
9 purchased

10 b. Business Case Questionnaire

11 6. Debtors failed to file a complete plan. Section 3.14 of the amended plan filed February 11,
12 2025 is blank.

13 7. Debtors failed to file the following schedules and/or statements. [11 U.S.C §521] and/or
14 F.R.B.P 1007

15 a. Schedule I 8a Statement of Monthly Net Income

16 b. Official Form 122C-2 Chapter 13 Calculation of Your Disposable Income

17 8. Debtors failed to accurately file the following schedules and/or statements. [11 U.S.C §521]
18 and/or F.R.B.P 1007

19 a. Schedule A/B: Question #37 is marked "yes" but nothing has been listed. Question #39 is
20 blank.

21 b. Schedule C: Most items listed are illegible. Exemptions 703 and 704 are mixed. Several
22 exemptions asserted by the Debtors do not exist.

23 c. Schedule E/F: No totals are given in Part 4.

24 d. Schedule I: The math is incorrect on lines 7 and 10.

25 e. Schedule J: The math for the monthly net income is incorrect. Done correctly it would in
26 fact be negative monthly net income.

27 f. Statement of Financial Affairs: No income is listed for the current year 2025. Questions
28 #13 and 22 are unanswered.

1 g. Official Form 122C-1, Chapter 13 Statement of Your Current Monthly Income and
2 Calculation of Commitment Period: No income has been listed for Debtor 2. It appears all income
3 was listed under Debtor 1. Lines 11, 15a, 16a, 16b, 17, 19b, 20a, and 20b have not been filled out.

4

5 9. Debtors are ineligible to be a debtor in a Chapter 13. Debtor failed to complete the Credit
6 Counseling Certificate prior to the bankruptcy filing date. [11 U.S.C. §109(h)]

7

8 10. Debtors have failed to commence making plan payments. Debtors have failed to make
9 payments due under the plan. As of March 07, 2025, payments are delinquent in the amount of
10 \$499.76. While this motion is pending further payments, will come due. In addition to the delinquency
11 amount, Debtors must also make the monthly plan payment of \$499.76 for March 25, 2025. [11
12 U.S.C. §1307(c)(4)]

13

14 11. As of the date of this motion, Debtors have filed inaccurate and/or incomplete schedules; and
15 thus, Trustee has not been able to determine liquidation in this case.

16

17 **WHEREFORE**, the Trustee prays that the Court enters an order dismissing this case as the
18 Debtor is ineligible to be a Debtor in bankruptcy.

19

20 DATED: 3/07/2025

21

22 Respectfully submitted,

23 /s/ Lilian G. Tsang

24 Lilian G. Tsang,

25 Chapter 13 Trustee

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